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ACK

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Attorneys for Plaintiff  
DEPARTMENT OF EDUCATION,  
STATE OF HAWAII

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

DEC 08 2005

at 11 o'clock and 19 min. AM  
SUE BEITIA, CLERK

**LODGED**

DEC 07 2005 9:52 AM

CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

DEPARTMENT OF EDUCATION,  
STATE OF HAWAII,

Plaintiff,

vs

MAKENA M., by and  
Through his Mother,  
CAROLINE (ALEX) M.,

Defendant.

CIVIL NO. CV04-630ACK/KSC  
(Other Civil Action)

STIPULATION FOR DISMISSAL  
WITH PREJUDICE OF  
DEFENDANT'S COUNTERCLAIM


STIPULATION FOR DISMISSAL WITH PREJUDICE OF DEFENDANT'S  
COUNTERCLAIM

IT IS HEREBY STIPULATED AND AGREED by and between  
the parties to this action, through their respective  
attorneys, that pursuant to Rule 41(a)(1)(ii) of the

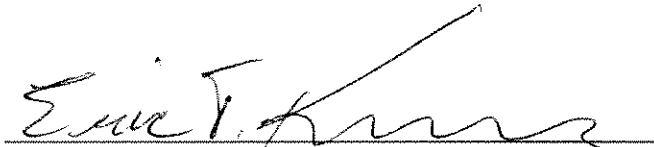
Federal Rules of Civil Procedure, the Counterclaim of Defendant filed against the Plaintiff be and is hereby dismissed with prejudice.

This stipulation is signed by all parties in this action.

DATED: Honolulu, Hawaii, December 5, 2005.

  
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George S. S. Hom  
Deputy Attorney General  
  
Attorney for Plaintiff  
STATE OF HAWAII

DATED: Honolulu, Hawaii, 12/5/05

  
\_\_\_\_\_  
Eric T. Krening  
  
Attorney for Defendant and  
Counterclaimant

APPROVED AND SO ORDERED:

ALAN C. KAY

\_\_\_\_\_  
JUDGE OF THE ABOVE-ENTITLED COURT